

REMARKS/ARGUMENTS

Initially, Applicants would like to thank Examiner Zhu for the courteous and helpful Interview conducted March 1, 2010, which Applicants believe materially advanced prosecution in this case. The substance of this Interview is reflected in the above claim amendments and the following remarks.

Claim 1 has been amended to require the presence of 0.5 to 5% titanium. The remaining claims have been amended to conform to claim 1 as amended. Support for these claims amendments exists throughout the present application, including page 9, lines 13-18 (titanium content).

Claims 1, 3, 4, 6, 7 and 10-21 are pending in the application, although claims 11-16 have been withdrawn from consideration. Applicants currently intend to seek rejoinder as appropriate upon indication of allowable subject matter.

The Office Action rejected claims 1, 3, 4, 6, 7, 10 and 17-21 under 35 U.S.C. § 103 as obvious over JP 06-240392 (“JP 392”) in view of JP 09-157780 (“JP 780”). In view of the following comments, Applicants respectfully request reconsideration and withdrawal of this rejection.

The claims have been amended to require the presence of 0.5-5% titanium. As discussed during the Interview, JP 392 does not disclose titanium. Accordingly, JP 392 cannot teach or suggest the present invention which requires at least 0.5% titanium.

JP 780 discloses 0.1-0.4% titanium. Thus, JP 780 also does not disclose at least 0.5% titanium. In fact, JP 780 actually teaches away from adding more than 0.4% Ti, stating in par. [0021] that Ti exceeding 0.4% will have a bad influence on fluidity. (See, computer generated translation submitted herewith). Accordingly, none of the applied art discloses

each and every element of the claimed invention and, in fact, teaches away from the claimed invention, so their combination cannot result in the claimed invention.

The significance of the applied art's failure to disclose at least 0.5% titanium is highlighted by the Rule 132 declaration to be submitted shortly. In this declaration, virtually identical alloys were compared. One of these alloys contained 0.4% titanium (the upper limit in JP 780). The spinner made with this alloy had a useful life of only 43 hours.

In stark contrast, spinners made with alloys having about 0.5% titanium had a useful life which was more than double (99 hours) or even four times greater (171 hours) than that of the comparative spinner. Clearly, alloys having only 0.4% titanium result in spinners having vastly inferior properties to spinners made with alloys having the required amount of titanium. This difference is significant, and demonstrates the inventiveness of the present invention.

Further, the applied art's failure to teach or suggest at least 0.5% titanium means that the applied art would not have led to the present invention, alloys having vastly improved properties.

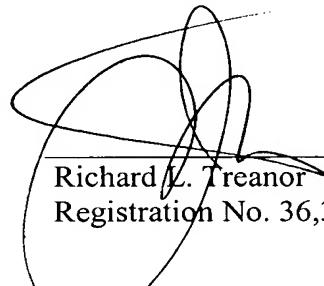
In view of the above, Applicants respectfully request reconsideration and withdrawal of the rejection under 35 U.S.C. § 103.

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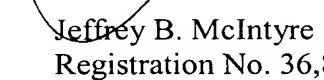
Applicants believe that the present application is in condition for allowance. Prompt and favorable consideration is earnestly solicited.

Respectfully submitted,

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